

45 KAR 1:060. Confidentiality.

RELATES TO: KRS 43.050, 43.070, 43.071

STATUTORY AUTHORITY: KRS 43.075(1)

NECESSITY, FUNCTION, AND CONFORMITY: This administrative regulation provides uniform standards and procedures for maintaining the confidentiality of information obtained by employees of the Office of the Auditor of Public Accounts.

Section 1. Definitions. (1) "Confidential information" means originals, copies, and recordings of all workpapers, documents, notes, and other written or unwritten information related to the official business of the Office of the Auditor of Public Accounts.

(2) "Employee" means:

(a) Current and former employees of the Office of the Auditor of Public Accounts; and

(b) Persons currently and formerly under contract with the Office of the Auditor of Public Accounts.

(3) "Authorized person" means:

(a) In all matters:

1. The Auditor of Public Accounts; and

2. An employee of the Office of the Auditor of Public Accounts; and

(b) With regard to examinations of a local government or state agency, the local government or state agency head and his designee.

Section 2. Confidentiality. (1) An employee of the Office of Auditor of Public Accounts:

(a) Unless specifically authorized in writing by the Auditor of Public Accounts, shall not disclose confidential information to a person who is not an authorized person; and

(b) Unless specifically prohibited in writing by the Auditor of Public Accounts, may disclose confidential information to an authorized person if disclosure is required in the performance of his official duties.

(2) An employee shall take action to protect and safeguard confidential information from:

(a) Loss;

(b) Destruction;

(c) Theft; and

(d) Intentional or negligent access, observation, and eavesdropping by anyone who is not an authorized person.

Section 3. Confidentiality Statement. (1) An employee shall sign the "Confidentiality Statement of the Office of the Auditor of Public Accounts".

(2) "Confidentiality Statement of the Office of the Auditor of Public Accounts (1992)" is incorporated by reference. It may be inspected, obtained or copied at the Office of the Auditor of Public Accounts, 144 Capitol Annex, Frankfort, Kentucky 40601, 8 a.m. to 4:30 p.m., Monday through Friday.

Section 4. Disciplinary Action. An employee who violates the provisions of this administrative regulation shall be subject to disciplinary action. (19 Ky.R. 1015; 1337; eff. 11-12-1992; Crt eff. 6-10-2019.)